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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

United States Fire Ins. Co.,

NO. C 09-02388 JW

Plaintiff,

**ORDER VACATING CASE
MANAGEMENT CONFERENCE**

v.

Vesta Strategies, LLC, et al.,

Defendants.

This case is scheduled for an Case Management Conference on February 14, 2011. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Case Management Statement. (See Docket Item No. 202.) In their Statement, the parties indicate that Defendants have filed a Motion to Dismiss Counterclaim¹ which is set for hearing on March 7, 2011. In light of the pending Motion, the Court finds that a Conference is premature at this time and thus, the Court VACATES the Conference. The Court will set a new conference date in its Order addressing the pending Motion to Dismiss, if necessary.

Dated: February 9, 2011



JAMES WARE
United States District Chief Judge

¹ (See Docket Item No. 201.)

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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Dated: February 9, 2011

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy